

<sup>1</sup> Document # 9 is titled as Mr. Howard-Bey's "Notice Of Appeal[]." Because the Recommendation of the Magistrate Judge is not a final judgment and thus is not directly appealable, *see* 28 U.S.C. § 1291, Mr. Howard-Bey's notice is construed as an objection to the Recommendation.

2. Mr. Howard-Bey's claims seeking intervention by this court in his pending state criminal cases are DISMISSED without prejudice in accordance with the *Younger* abstention doctrine;

3. Mr. Howard-Bey's claims seeking declaratory and injunctive relief from the orders setting bail in his criminal cases are DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) as such claims are not properly before the court in this action;

4. Mr. Howard-Bey's *Miranda* claim is DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i);

5. Mr. Howard-Bey's motion for preliminary injunction (Doc. # 2) is DENIED as he has failed to show a substantial likelihood of success on the merits; and

6. This case is DISMISSED prior to service of process pursuant to 28 U.S.C. § 1915(e)(2)(B)(i)-(ii).

A final judgment will be entered separately.

DONE this 10th day of October, 2017.

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/s/ W. Keith Watkins  
CHIEF UNITED STATES DISTRICT JUDGE